In re Patent Application of:
FLICK
Serial No. **10/648,931**
Filing Date: **AUGUST 27, 2003**

REMARKS

The Examiner is thanked for the thorough examination of the present application, for allowing Claims 11-16, and for identifying allowable subject matter in Claims 2, 3, 9, 21, 24, 25, and 31. The patentability of the claims is discussed in greater detail below. Favorable reconsideration is respectfully requested.

I. The Claimed Invention

Independent Claim 1, for example, is directed to a pre-warn vehicle security device for a vehicle comprising a data communications bus extending throughout the vehicle. The data communications bus carries data and address information thereover. The vehicle further comprises an alert indicator, and an alarm controller interfacing with the data communications bus extending throughout the vehicle and carrying data and address information. The alarm controller, when in an armed mode, causes the alert indicator to generate an alarm indication responsive to a high security threat level. The pre-warn vehicle security device comprises a pre-warn vehicle security sensor for sensing a security threat level lower than the high security threat level. The pre-warn vehicle security device further comprises a pre-warn emulator for generating a signal on the vehicle data communications bus extending throughout the vehicle and carrying data and address information responsive to the pre-warn vehicle security sensor so that the alarm controller causes the alert indicator to generate an emulated pre-warn indication different from the

alarm indication. Independent Claim 23 is a method counterpart to Claim 1.

Independent Claim 17 is similar to Claim 1 and includes a pre-warn vehicle security device comprising a pre-warn vehicle security sensor for sensing the high security threat level, and for sensing a threat level lower than the high security threat level. The pre-warn vehicle security device further comprises a pre-warn emulator for generating a high security threat level signal on the data communications bus extending throughout the vehicle and carrying data and address information responsive to the sensed high security threat level, and for generating an armed mode signal on the data communications bus extending throughout the vehicle and carrying data and address information responsive to the sensed low security threat level so that the alarm controller causes the alert indicator to generate an armed mode indication as an emulated pre-warn indication.

II. Claims 1-10 And 17-32 Are Patentable

A. The Hwang/Suman et al./Boreham et al. Combination

The Examiner rejected independent Claims 1, 17, and 23 as unpatentable over the Hwang patent in view of the Suman et al. patent and further in view of the Boreham et al. patent. The Hwang patent discloses a pre-warn system for an anti-theft alarm. The pre-warn system includes a vibration sensor hardwire connected to a one shot timer, which is hardwire connected to a controller that, in turn, is hardwire connected to an alert indicator. The one shot timer is activated based upon the vibration sensor and the controller

causes the alert indicator to generate a warning based upon the one shot timer. The Examiner correctly notes that the hardwire communication line between the pre-warn sensor and the main control alarm circuit is not a data communications bus. The Examiner next looks to the Suman et al. patent in an attempt to provide such.

The Suman et al. patent discloses a data bus **111** including eleven parallel data lines for each one of the inputs **100-110** that are connected to a respective one of eleven input terminals **114**. (See Fig. 6A and column 7, lines 37-40). The Suman et al. patent also discloses that the microcontroller 77 includes thirteen output terminals **113** connected by thirteen parallel output conductors **116** to an output interface circuit **115**. (See Fig. 6B and column 7, lines 41-43). In other words, the combination of the Hwang and the Suman et al. patents fails to provide a vehicle data communications bus extending throughout the vehicle and carrying data and address information. The Examiner next looks to the Boreham et al. patent in an attempt to provide such.

The Boreham et al. patent discloses a controller for activating an alert indicator having a predetermined frequency, volume, and duration based upon a sensed security condition. However, the Boreham et al. patent fails to provide a pre-warn emulator for generating a signal on the vehicle data communications bus extending throughout the vehicle and carrying data and address information.

In contrast, independent Claim 1, for example, recites a pre-warn emulator for generating a signal on the

vehicle data communications bus extending throughout the vehicle and carrying data and address information responsive to the pre-warn vehicle security sensor so that the alarm controller causes the alert indicator to generate an emulated pre-warn indication different from the alarm indication. Independent Claims 17 and 23 include features similar to Claim 1.

Applicant respectfully submits that there is no proper motivation to selectively combine the three references. For example, the Examiner contends that it would have been obvious to connect a pre-warn system as disclosed by Hwang over a vehicle data bus as suggested by the Suman et al. patent in order to take advantage of wiring already existing in a vehicle without having to add supplemental wiring to communicate sensed data in a vehicle alarm system. The Hwang patent already provides a pre-warn function using the existing wiring, and, therefore, one skilled in the art would not look to the Suman et al. patent to save supplemental wiring because there is no need for supplemental wiring in the first place.

The Examiner further contends that adding addressing over the data bus as suggested by the Boreham et al. patent will permit communication with specific vehicle systems that have individual addresses. However, the Hwang and Suman et al. patents never mention using addressing over a data bus and the Boreham et al. patent fails to mention an addressed pre-warn emulator for generating a signal on the vehicle data communications bus. As a result, the only motivation to provide the claimed pre-warn emulator for generating a signal on the vehicle data communications bus extending throughout

the vehicle and carrying data and address information improperly comes from Applicant's own specification.

B. The Hwang/Nykerk/Boreham et al. Combination

The Examiner rejected independent Claims 1, 17, and 23 as unpatentable over the Hwang patent in view of the Nykerk patent and further in view of the Boreham et al. patent. The Hwang patent is discussed above and the Examiner correctly notes that the hardwire communication line between the pre-warn sensor and the main control alarm circuit is not a data communications bus. The Examiner next looks to the Nykerk patent in an attempt to provide such.

The Nykerk patent discloses a self-contained alarm system 55 that includes a data bus 64 (See Fig. 4 and column 9, lines 59-63). Consequently, the Nykerk patent fails to provide a vehicle data communications bus extending throughout the vehicle and carrying data and address information. The Examiner looks to the Boreham et al. patent in an attempt to provide such.

As noted above, the Boreham et al. patent fails to provide a pre-warn emulator for generating a signal on the vehicle data communications bus extending throughout the vehicle and carrying data and address information.

In contrast, independent Claim 1, for example, recites a pre-warn emulator for generating a signal on the vehicle data communications bus extending throughout the vehicle and carrying data and address information responsive to the pre-warn vehicle security sensor so that the alarm controller causes the alert indicator to generate an emulated

pre-warn indication different from the alarm indication. Independent Claims 17 and 23 include features similar to Claim 1.

Applicant respectfully submits that there is no proper motivation to selectively combine the three references. For example, the Examiner contends that it would have been obvious to connect a pre-warn system as disclosed by Hwang over a vehicle data bus as suggested by the Nykerk patent in order to take advantage of wiring already existing in a vehicle without having to add supplemental wiring to communicate sensed data in a vehicle alarm system. The Hwang patent already provides a pre-warn function using the existing wiring, and, therefore, one skilled in the art would not look to the Nykerk patent to save supplemental wiring because there is no need for supplemental wiring in the first place.

The Examiner further contends that adding addressing over the data bus as suggested by the Boreham et al. patent will permit communication with specific vehicle systems that have individual addresses. However, the Hwang and Nykerk patents never mention using addressing over a data bus and the Boreham et al. patent fails to mention an addressed pre-warn emulator for generating an addressed signal on the vehicle data communications bus. As a result, the only motivation to provide the claimed pre-warn emulator for generating a signal on the vehicle data communications bus extending throughout the vehicle and carrying data and address information impermissibly comes from Applicant's own specification. Independent Claims 17 and 23 include features similar to Claim 1.

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Accordingly, independent Claims 1, 17, and 23 are patentable. The dependent claims, which recite yet further distinguishing features of the invention, are also patentable, and require no further discussion.

CONCLUSIONS

In view of the arguments presented above, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-8300 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 7th day of December, 2005.